

THE MORGAN COUNTY BOARD OF COMMISSIONERS MET IN A REGULAR SESSION ON MONDAY, AUGUST 1, 2011 AT 9:30 A.M.

MEMBERS PRESENT WERE NORMAN VOYLES, BRIAN GOSS, AND DON ADAMS. BRENDA ADAMS, COUNTY AUDITOR, PETE FOLEY, COUNTY ATTORNEY, AND DEB VERLEY, ADMINISTRATIVE ASSISTANT, WERE ALSO PRESENT.

PRAYER (George Watkins)

NORMAN VOYLES CALLED THE MEETING TO ORDER

BID OPENING – ROAD RESURFACING

Larry Smith, Morgan County Highway Engineer, stated that Wallace Construction is claiming the Local Indiana Business Preference and included documentation with the bid, Milestone also claimed the preference, but did not include any documentation. Pete Foley stated that the Local Indiana Business Preference is new statute that provides a percentage preference for local Indiana businesses defined as a local business in the county or adjacent county. The business must provide certain information to confirm these facts. Mr. Smith opened bids as follows:

NAME				Reith Riley	Milestone	O'Mara	Wallace	Low Bidder
District I	Miles	Inches	Tons					
Cramertown Loop	1	1.5	944	\$68.65	\$61.50	\$54.75	\$62.10	O'Mara
New Harmony	1.26	1.5	1098	68.65	59.00	57.35	60.74	O'Mara
Burton Lane	1.57	1.5	1330	68.65	59.75	55.25	60.27	O'Mara
Turkey Track South	1.37	1.5	1094	68.65	62.00	55.20	62.80	O'Mara
Plantation Dr	.41	1.5	397	68.65	67.00	54.75	61.55	O'Mara
Plantation Ct	.14	1.5	135	68.65	67.00	54.75	61.55	O'Mara
Ennis Rd	1.32	1.5	1086	68.65	59.75	56.05	59.81	O'Mara
District II								
None								
District III								
Henderson Ford Rd	2.15	1.5	1873	67.40	57.95	55.75	59.53	O'Mara
Landersdale Rd	.5	1.5	484	67.40	61.00	57.75	58.87	Wallace
Slideoff Rd	1.5	1.5	1452	67.40	55.00	57.75	58.87	Milestone
Merriman	.56	1.5	542	67.40	57.00	56.25	58.87	No Award
Bethel	1.25	1.5	1210	67.40	56.00	56.25	59.16	Milestone

Mr. Smith reviewed the bids and stated that there were questions regarding the Local Business Preference. Milestone claimed the preference, but did not include the required information. Pete Foley stated that this is a new statute and in Section One it states that the business that wants to claim the preference must do the following: 1. State in the bid that the business claims the preference provided by this section 2. Provide the following information to the purchasing agency. Mr. Foley stated that since the statute does not state that the information must be provided in the bid, he would recommend setting a deadline for submitting the information. A discussion followed regarding the qualifications for the Local Business Preference. Mr. Smith stated that the only road in question is Merriman, and recommended that the rest of the roads be awarded as noted above. Brian Goss made a motion to award the bids as noted above. Seconded by Don Adams. Motion carried 3-0.

CENTERSTONE UPDATE – Matt Oliver

Dr. Matt Oliver, Centerstone Behavioral Health Center, was present to update the Board on the services that have been provided to the county. Dr. Oliver stated that residents of Morgan County with no insurance have received over \$1,213,000 in care. They are working with Judge Tom Gray in developing a mental health review team for individuals that are frequently in the jail. The county has contributed \$293,246 in tax revenue and Centerstone has paid \$1.6 million in salaries, fringe benefits, and operational expenses in Morgan County. They are looking at youth services, addiction services, and a recovery engagement center.

AIRPORT ECONOMIC DEVELOPMENT PROPOSAL

Jeff Quyle, Morgan County Councilmember, presented a draft of a Memorandum of Understanding between the Indianapolis Airport, Morgan County, the Town of Mooresville, and a number of other communities in the region. The airport began a long-term land use planning process with an intent to see how the airport could better serve the region as an engine for economic development and growth. They have had several meetings with representatives from the

surrounding communities and consultants and developed a plan to use the airport as a magnet for economic growth with logistics, and work together with the highway system, and rail system to develop more opportunities for manufacturing as well as storage. They will now look at the airport property itself and a radius of five miles outside the airport to form what they are calling an aerotropolis. The study committee has looked at Dallas, Memphis, and Detroit as airports that have developed economic growth. Don Adams made a motion to approve the Non-binding Memorandum of Understanding. Seconded by Brian Goss. Motion carried 3-0.

Don Adams made a motion to appoint Jeff Quyle as the Morgan County representative on the committee. Seconded by Brian Goss. Motion carried 3-0.

ECONOMIC DEVELOPMENT AGREEMENT

Joy Sessing, Morgan County Economic Development Director, stated that the aerotropolis concept is an exciting project and its influence and development will extend beyond the five mile radius. The Morgan County Economic Development Board is in favor of the project.

Ms. Sessing asked that the contract between the county and Morgan County Economic Development Corporation (MCEDC) be modified. Ice Miller reviewed the contract and recommended that it outline the duties of MCEDC and that it also list the amount the county pays for their services. Brian Goss made a motion to approve the revised Morgan County Economic Development Services Agreement. Seconded by Don Adams. Motion carried 3-0.

BRIDGE INSPECTION DOCUMENTS

Steve Jones and Jon Clodfelter, United Engineering, presented the documents for Phase I of the bridge inventory program. The county pays 20% and federal funds pay for the remaining 80%. United has inspected all the bridges in the county and included photos in the detailed report. There are 143 bridges in the county. The report was submitted to INDOT for review. Phase II will be a re-inspection in two years. Mr. Clodfelter stated that one bridge (#144) is a top replacement priority; it is a two span bridge with a pier in the middle of the channel that is scoured out.

WIRELESS INTERNET RESOLUTION

Norman Voyles stated that at the last meeting, Steve Powell with AT&T requested the support of the Board of Commissioners and the Council in the merger of AT&T and T-Mobile USA. This merger would expand the area of broadband coverage in the county. Brian Goss made a motion to approve the Joint Resolution Supporting Private Sector Broadband Investment in Morgan County Through the Merger of AT&T and T-Mobile USA. Seconded by Don Adams. Motion carried 3-0.

ORDINANCE REGULATING TATTOO PARLORS – 2nd Reading

Norman Voyles stated that An Ordinance Regulating Tattoo Parlors and Body Piercing Facilities in Morgan County was presented by the Board of Health at the last meeting. Don Adams made a motion to approve the ordinance on second reading. Seconded by Brian Goss. Motion carried 3-0.

HUGGIN HOLLOW ROAD

John Reynolds, a realtor representing Donna Kieninger, stated that Ms. Kieninger can't sell her property because it is land-locked. In 1992 the road was changed and Ms. Kieninger lost access to the property except for an access road. Mr. Reynolds showed photos and maps of the old road and drainage ditch. There is a buyer for the property, but two title companies have said that they cannot sell it without an easement. Mr. Reynolds stated that Joel Moore owns the land between the road and the property and offered Ms. Kieninger an easement if she would pay him \$5,000. Ms. Kieninger stated that when the road was built in 1992, Mr. Moore gave the county the property to build the road. Pete Foley stated that he researched the issue and discovered that when the road was moved, there was no deed of dedication recorded to establish the new road. The old road, prior to being known as Huggin Hollow Road, was known as Bluff Creek and Waverly Gravel Road. Mr. Moore verbally committed to provide right of way to move the road to its current location in 1992, but this was never formalized. The old county road has not been vacated, which takes formal action by the Board of Commissioners, and is still a public way. The road bed still exists and can be re-established as legal access to the property. Mr. Foley stated that he did not know if re-establishing the road would satisfy the title company requirements. Mindy Brown with Cortland Title stated that she talked with Mr. Moore about the situation and he is adamant about not allowing access across his property. Don Adams made a motion to re-establish or improve the old road to provide necessary access to the affected properties. Pete Foley stated that the Board would send a letter to the title company. Motion carried 3-0.

VEGETATION ORDINANCE AMENDMENT – 1st Reading

Norman Voyles stated that some issues have come up with the Vegetation Ordinance and the following language could help clear it up. "This shall also include portions of a golf course that adjoin residential lots or parcels. This shall not apply to portions of lots or parcels that are

intended to be a medium or heavily wooded area.” Brian Goss made a motion to approve the first reading of the ordinance. Seconded by Norman Voyles. Motion carried 3-0.

FARM LEASE

Norman Voyles stated that on a small portion of property in the Whitaker area that the county obtained through FEMA, the house and barn were demolished and the adjoining property owner extended a portion of the crop field upon verbal permission from the Planning Director. FEMA requires that the county not make a profit on it (but can cover administrative costs), and this makes for less property maintenance for the county. Don Adams made a motion to draft a farm lease agreement for \$200 for the 2011 crop year. Seconded by Brian Goss. Motion carried 3-0.

COOLING TOWER UPDATE

Norman Voyles stated that the cooling tower will be installed at the Courthouse on August 26th. Everything should be working by Monday morning.

MINUTES

Brian Goss made a motion to approve the minutes of the June 20, July 1 meetings, and the June 30 Joint Meeting. Seconded by Don Adams. Motion carried 3-0.

TORT CLAIM

Don Adams made a motion to send the Lopossa tort claim to the insurance company. Seconded by Brian Goss. Motion carried 3-0.

CLAIMS

Brian Goss made a motion to approve the monthly claims totaling \$1,201,331.12 including a \$3,350.83 claim for DLZ pending Council approval of a transfer. Seconded by Don Adams. Motion carried 3-0.

HIGHWAY UPDATE

Jimmy Waggoner, Acting Highway Superintendent, stated that crews have started early hours to beat the heat. They have been chip sealing roads every day. Other crews have been installing culverts, mowing, and patching.

ENGINEER UPDATE

Larry Smith, Morgan County Highway Engineer, stated that the small structures on Sedwick Road and Brian Cemetery were replaced this week.

United Engineering and the state discussed the extra costs for Bridge #57. The contractor will be limited to 11 extra days of contract time; this extends the contract to August 23rd. Liquidated damages are \$1,000 per day. Mr. Smith estimated that the contractor will be three weeks over the new deadline.

The MPO has federal aid money to replace Bridge #144 on White Lick Road. Mr. Smith asked United Engineering for an engineering proposal. Steve Jones stated that the project is in the MPO area and United submitted an application to them for funding earlier this year. The funding was approved for construction 80/20%. United submitted a preliminary engineering proposal for \$188,200. The estimated construction cost is close to \$1.4 million. The contract does not include right of way acquisition which is estimated as an additional \$27,000. Don Adams made a motion to proceed with the replacement. Seconded by Brian Goss. Motion carried 3-0.

ADJOURNMENT

Brian Goss made a motion to adjourn the meeting. Seconded by Don Adams. Motion carried 3-0.

Morgan County Board of Commissioners

Norman Voyles

Brian Goss

Don Adams

Attest:

Brenda Adams, Morgan Co. Auditor